



Douglas M. Duncan
County Executive

CONSTRUCTIVE COMMENTS

MONTGOMERY COUNTY DEPARTMENT OF
PERMITTING SERVICES
DECEMBER 2003



Robert C. Hubbard
Director

DPS RESPONDS TO HURRICANE ISABEL

Hurricane Isabel caused considerable havoc when it struck our area during the third week in September 2003. As of November 28, 2003, the Federal Emergency Management Agency had received 17,007 applications for disaster relief, 751 of which had come from Montgomery County. Maryland residents have received just under \$82 million in disaster aid since September 19, when the state was declared a federal disaster area.

Days before Hurricane Isabel rolled up the East Coast, Montgomery County activated its Emergency Operations Center (EOC) in Rockville. As part of this activation, DPS prepared to undertake its mandated assessment of damage to public and private property in the county.

DPS personnel staffed the EOC around the clock before, during, and after the event. All three divisions of the department were called on to assist the recovery effort. Assessment teams from Land Development and Building Construction were on the road the morning after Isabel passed. Permits Technicians from Casework Management helped staff disaster-assistance centers in the days following the hurricane.

DPS investigated 112 reports of damaged buildings. Of that number, 107 were single-family dwellings. Thirty-eight of these sustained major damage, and 16 were posted unsafe for occupancy.



More Hurricane Isabel pictures on
page 2



Haywood Johnson inspects roof collapse.



Derek Isensee inspects roof damage.



Photos by Haywood Johnson



AS I SEE IT ...
by DPS DIRECTOR
ROBERT HUBBARD

The 2003 International Code Series (I-Codes) are being considered for adoption by the State of Maryland as the Maryland Building Performance Standard (MBPS). The Maryland Codes Administration (MCA) is currently conducting public hearings to determine if the I-Codes should be adopted as written, adopted with amendments, or not adopted at all. If past practice is an indication, the sure bet is that the MCA will adopt the 2003 I-Codes with amendments.

As a member of the International Code Council who participates at the national level in developing the I-Codes, I am disappointed that local interests will once again prevail in modifying building standards without the research, analysis, and discourse that occur at the national level. What most perplexes me is that the local interests that most often prevail in amending the standards are the same ones that criticize the patchwork of local code amendments across the U.S. They like to have it both ways: They will argue for a national standard by saying that local amendments stifle economic development, drain productivity, and create inequities, while at the same time lobbying jurisdictions for code changes that serve their parochial agendas.

Nothing defines this issue more clearly than the current deliberations within MCA on residential-stair geometry. The issue was vociferously debated over the past ten years at the national level, where a consensus emerged in favor of shallow-stair geometry. That consensus produced the shallow-stair configuration in the I-Codes.

The national discourse notwithstanding, if you were a local steep-stair ideologue, you simply lobbied the state to modify its building code, or you tried the same thing with the county and city. When you succeeded at any of these levels, you abetted the aforementioned patchwork of local building codes against which you so passionately argued when you were pursuing your interests at the national level.

I am convinced that a nationwide code is a good thing. As a code official, it enables me to spend more time enforcing and less time enacting the code. It improves the quality of plans submitted for permits. It ensures a large pool of similarly-qualified candidates when I am recruiting for inspectors or engineers. It effectively eliminates the “that’s-not-how-it’s-done-in-my-jurisdiction” mantra. It benefits the construction industry by providing a greater degree of surety that planning and design initiatives can be realized nationally. And, designers and builders are not burdened with having to educate employees on the standards in effect in the various localities within which they operate.

I am aware that once the MBPS is approved by the state, I will have six months to recommend that the County Council adopt the MBPS as written, adopt it with amendments, or not adopt it at all. I have actively petitioned the MCA to adopt the I-Codes without amendment.

BUILDING CONSTRUCTION

CODES CORNER



News Bulletins for the
Codes Professional

Updates on Requirements for, Mechanical, Fire-Protection, and Electrical Systems

Mechanical

A section of the International Mechanical Code (IMC) that is often overlooked by design professionals and contractors is Section 401.6 (Outdoor opening protection).

Section 401.6 requires **air exhaust and intake openings** that terminate outdoors to be protected with corrosion-resistant screens, grills, or louvers to prevent foreign objects (such as insects or debris) from entering the system or building. Openings in the screens, grills, or louvers should be sized in accordance with Table 401.6 of the IMC. Section 401.6 also addresses the need to protect such openings against the entry of falling or wind-driven water, snow, and ice. Protection strategies include using rotating hoods or turbines or installing turn-downs where the openings terminate.

Fire-Protection

All building permits for single-family dwellings issued after January 13, 2004, will require a 13D sprinkler system.

13D is the National Fire Protection Association (NFPA) standard for the installation of sprinkler systems in one- and two- family dwellings and manufactured homes where about 50 percent of the total loss of life by fire occurs. NFPA 13D was designed to create a standard that prevents flashover in sprinkler systems and thereby improves occupant-escape probability. The standard was first adopted by NFPA in May of 1975.

Sprinklers are required in all areas of a dwelling, with the following exceptions:

- o Garages, open attached porches, and carports
- o Attics, crawlspaces, and other concealed spaces not used or intended for living or storage purposes
- o Entrance foyers that are not the only means of egress
- o Linen or clothes closets and pantries where the area of the space does not exceed 24 square feet and the least dimension does not exceed 3 feet. The walls and ceiling of the area(s) must be surfaced with noncombustible or limited-combustible materials, as defined in NFPA 22 (e.g. Drywall).
- o Bathrooms of 55 or fewer square feet

Electrical

In the past few months, inspectors have seen an alarming increase in violations of the 1996 The National Electrical Code (NEC/ NFPA 70), specifically, article 110-16, "Working Space about Electrical Equipment."

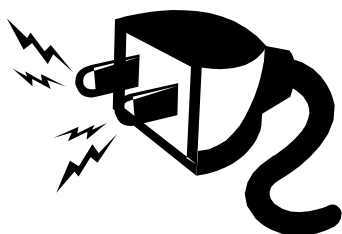
Serious injuries and deaths have occurred as a result of 'arc blast and electrical shock in substandard workspaces. The intent of this section is to provide for worker safety by creating adequate space for the maintenance, servicing, adjustment, or examination of electrical equipment. Regardless of

the width of the equipment, the workspace must not be fewer than 30 inches wide and must be unobstructed from the floor to a height of 6 & 1/2 feet, or to the height of the equipment, whichever is greater.

In addition, article 110-16A prescribes requirements for the step-back or depth distance from the face of an electrical installation, or from its sides or back, depending on design. This workspace is measured from the exposed live parts of the installation, from its enclosed front, or from an enclosed “dead front” switchboard.

Additional requirements of the article are as follows:

- o The space must allow for the opening of equipment doors and hinged panels to a minimum of 90 degrees.
- o The space may not be used for storage.
- o If the system voltage is 0 to 150 volts to ground, the minimum space is three feet.
- o If the system voltage is 151 to 600 volts to ground, the minimum space will vary from three to four feet.
- o If there are no live or grounded parts to live parts, the minimum space is three feet.
- o If there are grounded to live parts, the minimum space is three-and-a-half feet.
- o If there are live parts on both sides, the minimum space is four feet



BUILDING CONSTRUCTION EMPLOYEE RECOGNIZED AT THE MARYLAND BUILDING OFFICIALS' ASSOCIATION ("MBOA") ANNUAL CONFERENCE; MANAGERS ELECTED OFFICERS

On December 4, 2003, DPS Senior Permitting Services Specialist Tom Girona (pictured above) of the Division of Building Construction (DBC) received the “Plan Reviewer of the Year” award at the MBOA Annual Conference in Howard County, Maryland.

Tom has over 20 years of experience in construction-code enforcement as an inspector and plan reviewer. Currently, he is a member of the DBC Special Inspection Team that oversees the design and inspection of complex commercial structures. Tom also provides code-consultancy services to design professionals and building owners and developers.

At the same conference, DBC Chief Shahriar Amiri and DBC Permitting Services Manager Phil Wacławski were elected 1st Vice President and Treasurer, respectively.

Congratulations to Tom, Shahriar, and Phil.



BUILDING CONSTRUCTION STAFF ELECTED TO NFPA 45 STANDARD COMMITTEE

Montgomery County is home to a significant number of medical research and development facilities, and that number is growing rapidly. As the bio-tech industry flourishes here in the county, DPS staff has had to maintain an increasingly sophisticated set of technical knowledges, skills and abilities. Among the knowledge requirements is a National Fire Protection Association (NFPA) standard, NFPA 45, that is part of the Montgomery County Fire Safety Code and that prescribes design and fire-protection criteria for laboratories using chemicals.

NFPA has a NFPA 45 Technical Committee that is responsible for updating the standard to ensure that it keeps pace with scientific and technological change. Committee members are selected from among technical, business, and enforcement professionals.

DPS is pleased to announce that in November of this year, Senior Permitting Services Specialists Michael Pokorny and Stephen King of the Division of Building Construction were selected as committee members. Their selection is of high importance for DPS because it allows the department to participate directly in the development of a national standard that governs how business in a field critical to the economic vitality of the county is conducted.

DPS appreciates Mike's and Stephen's

commitment to improving the practice of code-enforcement in the county. Their involvement with NFPA is emblematic of how seriously our employees view their public-safety responsibilities.

CASEWORK MANAGEMENT

RIGHT-OF-WAY PLANS REQUIRED TO BE FOLDED AS OF JANUARY 2, 2003

Effective January 2, 2003, plans submitted for right-of-way (use) permits must be folded accordion style to a size of 8.5" x 14." Rolled drawings will not be accepted, although copies that are to be returned to consultants for their records or mark-up may be rolled. Existing DPS checklists will be modified to remind permit applicants to fold plans when making final permit submissions.

This policy applies to the following types of permits:

- Driveway
- Grading
- Paving
- Revocable
- Roadway-Occupancy
- Special-Use
- Storm-Drain and Paving
- Storm-drain
- Utility

This change will facilitate filing plans and transporting them to field locations. To further facilitate this process, permit applicants should make sure that the title block appears at the top of each folded sheet of a plan.

For additional information about this policy, please contact the Land Development Unit of the Division of Casework Management at 240-777-6320.

NEW AND REVISED IMPACT TAXES EFFECTIVE MARCH 1, 2004

*Both bills mentioned in this article can be found at the following web site:

<http://www.montgomerycountymd.gov/csltmpl.asp?url=/content/council/bills.asp>

Questions concerning impact-tax collections may be directed to DPS at 240 777-6370.

As a result of Bill # 9-03, "Development Impact - Tax School Facilities," applicants for building permits for residential developments filed on or after March 1, 2004, will be assessed a development impact tax (see below) for public-school improvements.

Dwelling Type	Tax Per Dwelling Unit
Single-family detached	\$8000
Single-family attached	\$6000
Multifamily (except high-rise)	\$4000
High-rise	\$1600
Multifamily senior	\$0

In addition to the School Facilities Impact Tax, applicants for building permits in a residential development must also pay the Transportation Impact Tax.

As a result of Bill #31-03, "Transportation Impact Tax – Amendments," applicants for building permits filed on and after March 1, 2004, must pay the revised Transportation Impact Tax (see below). The impact-tax districts have changed from Germantown, Eastern Montgomery County, Clarksburg and County District to Metro Station, Clarksburg and General.

Building Type	Metro Station	Clarksburg	General
Single-Family detached residential (per dwelling unit)	\$2750	\$8250	\$5500
Single-Family attached residential (per dwelling unit)	\$2250	\$6750	\$4500
Multifamily residential	\$1750	\$5250	\$3500
High-rise residential	\$1250	\$3750	\$2500
Multifamily-senior resi-	\$500	\$1500	\$1000
Office (per sq. ft. GFA)	\$2.50	\$6	\$5
Industrial (per sq. ft.)	\$1.25	\$3	\$2.50
Bioscience facility (per	\$0	\$0	\$0
Retail (per sq. ft. GFA)	\$2.25	\$5.40	\$4.50
Place of worship (per	\$15	\$35	\$30
Private elementary and	\$20	\$50	\$40
Hospital (per sq. ft.)	\$0	\$0	\$0
Other nonresidential	\$1.25	\$3	\$2.50

LAND DEVELOPMENT

RESPONSIBLE PERSONNEL CERTIFICATION ("GREEN CARD") PROGRAM FOR EROSION AND SEDIMENT CONTROL

The Green Card training program provides participants with valuable information about construction management and sediment-control-maintenance measures. The program is primarily applicable to the work done by land-development and engineering firms and earth-moving contractors.

Responsible Personnel training includes:

- Attending the 4 hour course
- Taking an examination following the course
- Receiving a certification card within two weeks of course completion

The class is held in the Department of Permitting Services Seneca Conference room. It begins promptly at 8:00 A.M. and ends at approximately 12:30 P.M. The cost of the class is \$30.00 and includes a copy of the "Sediment Control Handbook."

Four upcoming Green Card Certification Seminars have been scheduled on the following dates:

December 18, 2003

January 22, 2004

February 26, 2004

March 25, 2004

To register for one of the classes, call 240-777-6328. Payment for the class must be received two weeks prior to the class date.



RIGHT-OF-WAY PERMIT NEWS

Effective July 1, 2003, DPS began charging a fee for extensions of Road and Right-of-Way permits. The extension fee is 10% of the original fee, but not less than \$100 (Executive Regulation 14-03).

Effective January 1, 2004, DPS will not inspect expired permits. This policy parallels the existing policy for sediment-control permits. If a permit has expired and work is not complete, a "Notice of Violation" will be issued, and an extension may be applied for within five business days. After five business days, a stop-work order and a citation will be issued (Montgomery County Code 49-7 & 38).

Initial one-year extensions for Paving, Storm Drain and Grading Permits will be granted without review. Additional extensions will require a review by the inspector to determine project status.

Inquiries about extension fees can be directed to the Division of Casework Management at 240-777-6320. Questions about right-of-way permit inspections can be directed to Permitting Services Manager Leroy Anderson at 240 777-6308.

LITTLE SENECA CREEK HABITAT IMPROVEMENT PROJECT

The Artery Development Company, LLC, has completed a habitat-improvement project on a tributary to Little Seneca Creek to mitigate damage downstream of the Hoyles Mill subdivision in Germantown. The impacts to the stream occurred when excessive sediment left the Hoyles Mill Village development site when it was under construction in 2001.

Little Seneca Creek is a State-of-Maryland-designated-Use III trout stream. The habitat improvement was done in the Maryland National Capital Park and Planning Commission park facility within the Seneca Creek Day Camp.

The purpose of the project was to enhance the trout habitat and address existing stream-bank erosion in the watershed. The project involved stabilizing two areas of eroding stream bank by installing two sections of lunker structures along Little Seneca Creek. Lunkers provide excellent overhead cover for adult trout. According to reports from people fishing this section of the creek, trout are already using the structures.

The project was a result of an agreement among the Artery Development Company, the Montgomery County Departments of Permitting Services and Environmental Protection, and the Maryland National Capital Park and Planning Commission.



Project underway.



Progress being made.



Project nearing completion.

WELL-AND-SEPTIC NEWS

The Well and Septic Section implemented the following changes to the materials and equipment to be used on septic systems for which permits were issued on or after November 1, 2003:

1. Two-compartment, rather than the traditional one-compartment tanks are now required for most installations. The two-compartment tanks provide much better settling of solids and treatment of septic effluent, which means improved efficiency and lifespan in drain fields. New tank criteria are as follows:

- A one-thousand-gallon, one-compartment tank may still be used in one- to three-bedroom homes. However, we strongly recommend that a fifteen-hundred-gallon, two-compartment tank be used.
- A fifteen-hundred-gallon, two-compartment tank must be used in four- to five-bedroom homes.
- A two-thousand-gallon two-compartment tank (if available), or multiple tanks must be used in homes of six or more bedrooms.

2. Smooth-walled PVC pipe, rather than black corrugated pipe, is now required for use in drain fields. New pipe criteria are as follows:

- The pipe from the septic tank to beyond the “over-dig” of the septic tank must be Schedule 40, PVC (as is required now).
- The pipe from the over-dig point to the drain field must be Schedule 35, non-perforated PVC with cleanouts every 100 feet.
- In the drainfield, “thin wall” PVC pipe (perforated – 3 rows) may be used.

3. Geotextile material, rather than red rosin paper, is required to cover drain fields. The rosin paper tears and punctures easily, disintegrates in a short period of time, and is more susceptible to settling problems. The geotextile material should be “Mirafi 140N” or equivalent.

Please contact your Well-and-Septic staff member at 240-777-6320, if you have any questions about these changes.



Pictured: 1 to r, Heidi, Vilma, Heather, and Stacy.

NEW EMPLOYEES JOIN DPS

On September 8, 2003, Heather Dixon Gotke began her career as a Permit Technician (PT) in the Division of Casework Management. Heather reports to Permitting Services Manager (PSM) Gail Lucas and replaces recently retired Fazee Hamilton. Prior to joining DPS, Heather worked as a permit technician with the City of Rockville and as a courtroom clerk for the State of Maryland. She received certification as an ICC Permit Technician in November of 2002.

Stacy Dyer joined DPS on October 6, 2003, as a fire-plan-review (structural) Permitting Services Specialist (PSS) I in the Division of Building Construction under the supervision of PSM Hadi Mansouri. Most recently, Stacy was employed by Occu-Health, Inc. as a Fire Protection Engineer inspecting fire-protection and safety systems at the Goddard Space Flight Center. Stacy has an A.S. in Engineering Science from Montgomery College and a B.S. degree in Fire Protection from the University of Maryland.

Accompanying Stacy on her first day of work on October 6, 2003, was Heidi Gant, a Permit Technician reporting to PSM Sandy Kaiser. Heidi replaced PT Jean Roegner. Heidi was employed by the Montgomery County Police Department as a Police Services Assistant. She has over twelve years of customer-service experience.

Vilma Rychlik became a Permitting Services Specialist II in the Division of Building Construction on October 20, 2003. Vilma reports to PSM Phil Wacławski in the fire-systems-engineering position previously occupied by Matt Chibbaro. Vilma has over 18 years of experience in fire-protection design, including her most recent employment as a Senior Designer for Capital Sprinkler Contracting, Inc.

Christopher Brown started with DPS on November 3, 2003, as a Permitting Services Inspector II (residential) in the Division of Building Construction. He reports to PSM George Muste and replaces Tommy Flippo, who transferred within the Division. Before beginning his DPS tenure, Chris managed all aspects of residential remodeling, including code compliance, bidding, sales, project management, and punch-out as owner of Sun Construction Services, Inc. Chris has a Maryland Home Improvement License and

is ICC certified as a Residential Building Inspector, Residential Mechanical Inspector, and Residential Electrical Inspector.

Please join us in welcoming all of our new employees to DPS.



Pictured: 1 to r, Ed, Derek, Brian, Jeff, and Tom.

PROFICIENCY ADVANCEMENTS

Proficiency advancements are non-competitive promotions that recognize an employee's readiness to assume the duties of the mid-level or the highest classification at which his or her position has been budgeted. Most proficiency advancements in DPS require completion of occupationally-specific certification requirements for promotion to the highest classification level.

We are pleased to announce that the following employees have been proficiency advanced within their respective positions:

Brian Gregg - Permitting Services Inspector III (Sediment Control/Stormwater Management) **Certified**

Charles Hicks - Information Tech Specialist I (Director's Office)

Derek Isensee- Permitting Services Inspector II (Sediment Control/Stormwater Management)

Jeffrey Mann - Permitting Services Inspector II (Sediment Control/Stormwater Management)

Ed Myers - Permit Technician II (Casework Management)

Thomas Woodhouse - Permitting Services Inspector II (Sediment Control/Stormwater Management)



‘TIS THE SEASON.....

DPS is fortunate to have customers who are not reticent about expressing their satisfaction with the services that we provide. These testimonials appear throughout the year in the forms of telephone calls, emails, letters, and in-person commendations.

Of course, it is during the holidays that our customers tend toward more material expressions of their gratitude. Typically, employees are presented with small gifts of food/beverages or novelty items (e.g., hats, mugs, keychains with company logos) that clients deliver to our offices in Metro Center.

While we all appreciate this generosity, I am concerned that accepting anything from a customer, however inexpensive or trivial, may create the impression that we somehow solicited it/that its acceptance is somehow linked to preference in the permitting process.

Accordingly, I have directed our staff to courteously decline gifts from customers. I encourage employees to suggest to customers that they express their gratitude in a letter to the County Executive or Chief Administrative Officer. In this way, the whole organization benefits from the seasonal generosity of our clients.

Happy Holidays to our friends and customers, and thank you for your cooperation in the matter of employee gifts.

Robert C. Hubbard
Director, DPS

PHOTOS FROM DPS 2002 TOYS FOR TOTS CAMPAIGN



Robert Hubbard accepts plaque commending DPS's commitment to Toys for Tots.



DPS Toys For Tots coordinator "Santa Steve" King and his bounty.

DPS QUIK PICS

HALLOWEEN AT DPS

Cash prizes were handed out and goodies were enjoyed by many DPS employees at our first annual Halloween costume contest.



Jay Beatty (l.) and Kim Clark (below l.) represented Well and Septic which won for "Best Group Effort."



Assistant Director Bill Boyajy won "Scariest" (even before he donned his costume!).



Casework Management's Yvette Cooper won "Best Individual Costume."



Delvin Daniels of Casework Management won the "Most Original."

IMPORTANT NOTICE ABOUT SEASONAL BUILDING SAFETY

The Department of Permitting Services wishes to remind County residents that rooftops properly constructed in Montgomery County are adequate to support the temporary load imposed by a jolly old elf and his team of reindeer.

The Department notes that roof deflection may exceed normal parameters, and some popping and creaking of bracing elements may occur, but given the brevity and intermittence of the load, structural elements will rebound without a permanent weakening effect. The impact of hooves, boots, and sleigh runners on shingles and other roof coverings is considered ordinary repair, and damage should be reported to the Polar Consumer Advocacy Panel (“Polar CAP”) 180 N. Lat, North Pole.

Questions have arisen concerning code requirements for accessible chimneys. We believe that “jolly old elf” constitutes a protected class under current accessibility guidelines. Accordingly, reasonable accommodation must be made in the event that a chimney has been rendered inaccessible due to dimensional limitations, damper configuration/the installation of glass fire doors.

Also, the Department strongly advises contacting the Licensure and Regulatory Division of the Department of Health and Human Services regarding safe handling and serving procedures for Yuletide comestibles. Cookies, milk and other perishable items must not be allowed to reach a mean temperature above 40 degrees Fahrenheit and must be set out at a height sufficient to impede rodent access.

Finally, special care must be taken regarding the composition of cervine provender with respect to fiber content, nutritional value, and antibiotic treatment. The prescription pertaining to rodent access is also applicable here. Questions concerning this matter may be referred to the Animal Services Division of the Police Department.

That said, don’t worry, be happy, and have a safe holiday season.

*HAPPY
HOLIDAYS*





Department of Permitting Services
255 Rockville Pike, Second Floor
Rockville, Maryland 20850-4166

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DPS MAIN TELEPHONE NUMBER
(240) 777-6300

- (240) 777-6210 To: Schedule an Inspection Cancel an Inspection Find the status of a permit Receive documents via fax**
(240) 777-6259 Complaints
(240) 777-6370 Questions related to residential building permits (new construction, additions, alterations, sheds, decks, fences, swimming pools), commercial building permits, demolition permits, fire-alarm permits, fire-sprinkler permits, Use-and-Occupancy Certificates, and Historic Area Work Permits
- (240) 777-6320** Questions related to subdivision development, permits to work in the right-of-way, stormwater-management concepts, sediment-control permits, and well-and-septic permits
- (240) 777-6240** Questions related to zoning, setbacks, information, building-height restrictions, special exceptions, electrical permits and licenses, mechanical permits, vendor licenses, sign permits, and Permitting Services records
- (240) 777-6260** Division of Casework Management
(240) 777-6350 Division of Land Development
(240) 777-6200 Division of Building Construction
(240) 777-6360 Office of the Director
(240) 777-6256 TTY

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